

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
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John Arway
Pennsylvania Fish and Boat Commission
450 Robinson Lane
Bellefonte, PA 16823

Mark Hersh
US Fish and Wildlife Service
315 S. Allen Street
State College, PA 16801

MAR 04 1994

Thomas Schmick
Pennsylvania Department of Environmental Resources
200 Pine Street
Williamsport, PA 17701

James Hendrick, Vice President
Cerro Metal Products Co.
P.O. Box 388
Bellefonte, PA 16823

Re: Cerro Metals Site Assessment;
Final Report

Dear Sirs:

Enclosed you will find the Site Evaluation and Assessment (Assessment) for the Cerro Metals Site (Site) in Bellefonte, Pennsylvania. EPA conducted the assessment at the request of the Pennsylvania Fish and Boat Commission (PAFBC), with the assistance of the Pennsylvania Department of Environmental Resources (PADER), with the guidance of the US Fish and Wildlife Service (USFWS) and PAFBC and with the cooperation of Cerro Metal Products Company (Cerro).

The level of involvement of your organizations and the opportunity for your input in the Assessment was unprecedented and reflects the multiple interests involved at the Site. All your input was considered and the Assessment reflects your comments. I hope that each of you recognize some part or parts of the Assessment which reflect your organizations' participation. It was EPA's objective to involve everyone in the Site Assessment process. I believe that objective was achieved. I certainly feel that the Assessment belongs to all of us. Thank you for your efforts.

Where do we go from here? At the present time, the Site is subject to corrective measures and investigation by Cerro pursuant to the Pennsylvania Clean Streams Law and other Commonwealth laws and regulations under the jurisdiction and

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oversight of PADER. PADER and Cerro have stated their interest in addressing all environmental issues relating to the Site. If Cerro agrees to implement the proposed response actions according to the proposed schedule (Sections VI & VII in the Assessment) and agrees to enter into an administrative or civil order with PADER, as soon as possible, there should be no need for direct involvement of the Superfund Removal Branch in the response activities. If Cerro can not or will not commit to implement or ultimately fails to implement the proposed response actions and schedule, the Superfund Removal Branch will consider direct involvement in response activities at the Site. EPA requests that Cerro inform EPA in writing by C.O.B. March 25, 1994, of its intention to implement the response actions and schedule set forth in Sections VI and VII of the Assessment.

EPA's decision to become involved, or not to become involved, in Removal response activity at the Site in no way reflects of the significance or urgency of Site problems. EPA views these response actions to be extremely important. EPA's decision will be based upon EPA's confidence that appropriate response actions will be timely implemented. Therefore, Cerro's responses should be clear, specific and address the proposals and schedules as stated in the Assessment.

As of this date, EPA has not undertaken administrative determinations pursuant to Section 104(a) of the Comprehensive Environmental Response Compensation and Liability Act, as amended (CERCLA), and the National Contingency Plan (NCP) or any other law administered by the EPA to authorize response action or funding nor has EPA committed to undertake such action in the future. However, nothing herein precludes EPA from undertaking any and all appropriate response or enforcement actions at the Site to address the conditions identified in the assessment or other conditions any time such actions are deemed by EPA to be warranted pursuant to Federal law. Failure by Cerro to respond or failure to respond positively to this request will not effect Cerro's opportunity(ies), if any, to respond or to participate pursuant to any administration action EPA may pursue in the future.

Of equal importance to Cerro's commitment to these response activities is the commitment and support of PADER, PAFBC and USFWS, the Natural Resource Trustees (Trustees). The Trustees have greatly influenced the Assessment and the proposed responses through their guidance and expertise. No matter who performs the work, the Trustees will have an important role in reviewing, overseeing and participating in response actions at the Site. EPA hopes the Trustees will continue to support and make a commitment to assist in the implementation of the proposed response actions. EPA believes that it would be of real value to everyone concerned if the Trustees where to state their support and commitment to the successful implementation of these response actions no matter who implements the response.

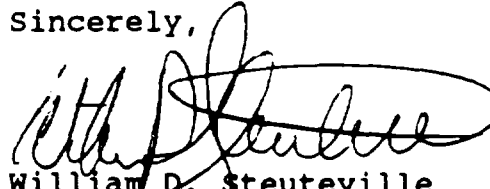
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EPA believes that all major points of the Assessment were discussed during the January 11, 1994 meeting. Nothing in the Assessment should be a surprise any of you. However, if any of you wish to meet to discuss the Assessment prior to March 25, 1994, EPA will endeavor to arrange such a meeting. However, EPA's request that Cerro respond on or before C.O.B. March 25, is independent of such a meeting.

Irrespective of EPA's role in future response actions, EPA remains committed to seeing that Site problems are appropriately addressed. EPA will continue to provide assistance, as necessary, to you and your organizations.

Please contact me at (215) 597-6678 to arrange a meeting or if you have questions. I look forward to your responses.

Sincerely,



William D. Steuteville
On-Scene Coordinator
Superfund Removal Branch

enclosure

cc: Charlie Kleeman w/out encl.

Josie Matsinger " "

Cindy Rice, USFWS " "

Don Henne, U. S. Dept. of Interior " "

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